

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

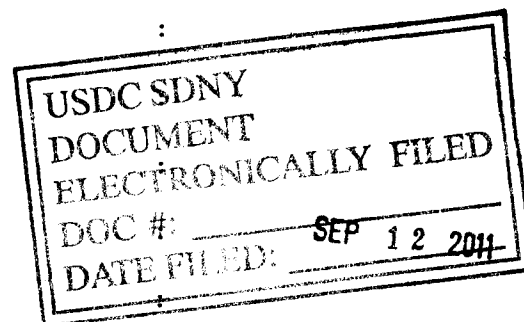
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UNITED STATES OF AMERICA

: SEALED
: SUPERSEDING
: INDICTMENT

- v. -

ANTHONY BOYKIN, : S7 10 Cr. 391 (CM)
a/k/a "Double O," :
ALBERT ATKINS, :
a/k/a "Little Bill," :
a/k/a "Bill Blast," :
DERRICK ATKINS, :
a/k/a "Dl," :
MARCO BOYKIN, :
a/k/a "Sparks," :
a/k/a "Polo," :
a/k/a "Polo Shine," :
CHARLES BYRD, :
a/k/a "AU," :
a/k/a "Ante Up," :
JOHN CANADAY, :
a/k/a "Stoney B," :
CLIFTON CATTS, :
CHARLES CORBIN, :
a/k/a "Buck," :
TAYLOR FIELDS, :
a/k/a "Little A," :
a/k/a "Alex," :
MAURICE HAGAN, :
a/k/a "Vision," :
ROBERT HERRING, :
a/k/a "Rico," :
DAVID JACKLYN, :
a/k/a "Hood," :
JOSEPH McLEAN, :
a/k/a "Millz," :
DANNY McNAIR, :
a/k/a "Danny Dog," :
RAHSAAN MELVIN, :
a/k/a "Sincere," :
JOHN NELSON, :
a/k/a "Hellboy," :
a/k/a "HB," :
ANTWAN ROBINSON, :
a/k/a "Twizzy," :
MOLEEK SAMPSON, :
a/k/a "Gams," :



JUSTIN SIMMONS, :
a/k/a "Justo," and :
DANIELLE WILLIAMS, :
Defendants. :

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THE RACKETEERING OFFENSES

COUNT ONE

The Grand Jury charges:

THE ENTERPRISE

1. At all times relevant to this Indictment, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," JOSEPH McLEAN, a/k/a "Millz," RAHSAAN MELVIN, a/k/a "Sincere," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," ANTWAN ROBINSON, a/k/a "Twizzy," JUSTIN SIMMONS, a/k/a "Justo," and DANIELLE WILLIAMS, the defendants, and others known and unknown, were members and associates of the Newburgh Bloods, a criminal organization whose members and associates engaged in, among other activities, narcotics trafficking, murder, robbery, and witness tampering. The Newburgh Bloods operated principally in and around the City of Newburgh, New York.

2. The Newburgh Bloods, including its leadership, its membership, and its associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. At all times relevant to this Indictment, the enterprise has engaged in, and its activities affected, interstate and foreign commerce.

3. ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," JOSEPH McLEAN, a/k/a "Millz," RAHSAAN MELVIN, a/k/a "Sincere," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," ANTWAN ROBINSON, a/k/a "Twizzy," JUSTIN SIMMONS, a/k/a "Justo," and DANIELLE WILLIAMS, the defendants, and others known and unknown, were leaders, members, and associates of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs. ANTHONY BOYKIN, MARCO BOYKIN, BYRD, CANADAY, CORBIN, FIELDS, HAGAN, HERRING, JACKLYN, McLEAN, MELVIN, NELSON, ROBINSON, SIMMONS, and

WILLIAMS, the defendants, and others known and unknown, participated in the operation and management of the enterprise, and participated in unlawful and other activities in furtherance of the conduct of the enterprise's affairs.

4. The Bloods is a nationwide criminal organization that is organized into sub-groups known as "sets." The Newburgh Bloods is comprised of members, leaders, and associates of various sets of the Bloods - including the "Bounty Hunter Bloods," "G-Shine," "5-9 Brim," "Stone," and the "9 Trey Bloods" - residing and/or operating in and around Newburgh, New York. Although members of the Newburgh Bloods belonged to different sets, these individuals and sets often coordinated, collaborated, and worked together and with each other as a single organization.

5. Within sets of the Newburgh Bloods, certain individuals had actual or perceived "rank," which meant that they were among the leaders of their sets. At certain times relevant to this Indictment, the following individuals were members of the following sets of the Bloods:

Defendant	Bloods set	Actual or perceived rank?
ANTHONY BOYKIN, a/k/a "Double O"	Bounty Hunter Bloods	Yes
MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a Polo Shine"	G-Shine	Yes

Defendant	Bloods set	Actual or perceived rank?
CHARLES BYRD, a/k/a "AU," a/ka/ "Ante Up"	G-Shine	Yes
JOHN CANADAY, a/k/a "Stoney B"	G-Shine	Yes
CHARLES CORBIN, a/k/a "Buck"	Bounty Hunter Blood; G-Shine	No
TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex"	G-Shine; 9 Trey	Yes
MAURICE HAGAN, a/k/a "Vision,"	Stone	Yes
ROBERT HERRING, a/k/a "Rico"	G-Shine; 9 Trey; Sex Money Murder	Yes
DAVID JACKLYN, a/k/a "Hood"	G-Shine	No
JOSEPH McLEAN, a/k/a "Millz"	5-9 Brim; Mac Baller	Yes
RAHSAAN MELVIN, a/k/a "Sincere"	Stone	No
JOHN NELSON, a/k/a "Hellboy," a/k/a "HB"	5-9 Brim	No
ANTWAN ROBINSON, a/k/a "Twizzy"	G-Shine	No
JUSTIN SIMMONS, a/k/a "Justo"	G-Shine	No
DANIELLE WILLIAMS	Associate of the Bloods street gang	

6. Any member of the Newburgh Bloods with rank had certain authority over any other member of the Newburgh Bloods, irrespective of set. For example, Newburgh Bloods with rank could, and did, call meetings of all the Newburgh Bloods at which attendance was mandatory. At these meetings, members of the Newburgh Bloods discussed, among other things, their criminal

activities. Members of the Newburgh Bloods with rank could also direct punishments against other members of the Newburgh Bloods or against non-members. Among these punishments were that individuals were to be assaulted, robbed, or killed by members of the Newburgh Bloods. The Newburgh Bloods – who communicated, in part, in code – referred to a person who had been targeted for an assault, robbery, or murder as "food," or a "plate," and referred to orders to members or potential members of the Newburgh Bloods to commit an act of violence as "hanging your nuts," or "letting your nuts hang." Additionally, Newburgh Bloods with rank were permitted to induct other individuals into the Newburgh Bloods, a process known as "bringing them home." A member of the Newburgh Bloods who was "brought home" by a ranking member was known as that ranking member's "drop."

7. The Newburgh Bloods had multiple criminal objectives, one of which was the operation of drug markets in certain locations in Newburgh, New York, which distributed primarily cocaine base, or "crack." In particular, the Newburgh Bloods controlled drug markets in the vicinity of the following locations, among others, in Newburgh: South Miller Street, Lander Street (a portion of which is known as "Blood Alley"), Farrington Street, Lutheran Street, and Van Ness Street. All of these locations were within approximately ten blocks of one another in Newburgh.

8. The Newburgh Bloods allowed other members of the Newburgh Bloods, of whatever set, to sell crack cocaine in areas of Newburgh, New York, controlled by the Newburgh Bloods. Generally speaking, non-members, outsiders, and rival narcotics dealers were prohibited or prevented from distributing narcotics in areas controlled by the Newburgh Bloods. Certain individuals – such as people who had grown up in areas controlled by the Newburgh Bloods, or marijuana dealers who often sold to members of the Newburgh Bloods – were permitted to distribute narcotics in areas controlled by the Newburgh Bloods, but did so at the risk of being robbed by members of the Newburgh Bloods.

9. Other individuals who were not members of the Bloods conspired with the Newburgh Bloods to operate the drug markets in Newburgh, New York. Among other things, these associates of the Newburgh Bloods helped supply them with crack cocaine, and otherwise aided the criminal activities of the Newburgh Bloods, including narcotics distribution. The Newburgh Bloods also frequently utilized minors to commit criminal acts on behalf of the Newburgh Bloods, such as distributing narcotics, acting as lookouts, carrying weapons, and engaging in acts of violence. Some of these minors were themselves members of the Newburgh Bloods.

10. Members of the Newburgh Bloods and their associates committed and conspired, attempted, and threatened to

commit acts of violence to protect and expand their drug-trafficking operations, and to protect fellow members of the Newburgh Bloods. These acts, including beatings, stabbings, and shootings, were intended to prevent people not affiliated with the Newburgh Bloods from distributing narcotics in areas controlled by the Newburgh Bloods, or to dissuade members of rival gangs, such as the Latin Kings, from encroaching on territory controlled by the Newburgh Bloods.

PURPOSES OF THE ENTERPRISE

11. The purposes of the enterprise included but were not limited to the following:

a. Enriching the members and associates of the enterprise through, among other things, the distribution and sale of narcotics, including crack cocaine.

b. Preserving and protecting the power, territory, and profits of the enterprise through murder, robbery, other acts of violence, and threats of violence.

c. Promoting and enhancing the enterprise and the activities of its members and associates.

d. Keeping victims and potential victims in fear of the enterprise and its members and associates through acts and threats of violence.

e. Providing assistance to members and associates who committed crimes for and on behalf of the gang.

MEANS AND METHODS OF THE ENTERPRISE

12. Among the means and methods employed by the members and associates of the Newburgh Bloods in conducting and participating in the conduct of the affairs of the enterprise were the following:

a. Members and associates of the enterprise committed, conspired, attempted, and threatened to commit acts of violence, including murder, to protect and expand the enterprise's criminal operations, including the distribution of narcotics.

b. Members and associates of the enterprise used threats of violence and physical violence, including murder, against other members and associates to enforce and maintain discipline within the enterprise.

c. Members and associates of the enterprise committed, conspired, attempted, and threatened to commit acts of violence, including murder, against rival gang members, individuals who falsely claimed to be members of the enterprise, and individuals believed to be providing information about the enterprise and its members to law enforcement officials.

d. Members and associates of the enterprise wore certain colors and displayed certain signs to identify themselves and communicate with one another.

e. Members and associates of the enterprise used code language to communicate.

f. Members and associates of the enterprise marked territory to discourage rival gangs.

g. Members and associates of the enterprise held meetings to discuss gang business and discuss current and future activities.

h. Members and associates of the enterprise recruited new members.

i. Members and associates of the enterprise obtained, possessed, and used firearms.

j. Members and associates of the enterprise distributed narcotics.

THE RACKETEERING VIOLATION

13. From at least in or about 2007, up to and including in or about September 2011, in the Southern District of New York and elsewhere, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," JOSEPH McLEAN, a/k/a "Millz," RAHSAAN MELVIN, a/k/a "Sincere," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," ANTWAN ROBINSON, a/k/a "Twizzy," JUSTIN

SIMMONS, a/k/a "Justo," and DANIELLE WILLIAMS, the defendants, and others known and unknown, being persons employed by and associated with the enterprise described above, to wit, the Newburgh Bloods, which was engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, that is, through the commission of the following acts of racketeering:

THE PATTERN OF RACKETEERING ACTIVITY

14. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

Racketeering Act One:
Conspiracy to Murder and Murder of Lamont Young

15. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act One:

Conspiracy to Murder Lamont Young

a. In or about March 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," and ANTWAN ROBINSON, a/k/a "Twizzy," the defendants, and others known and unknown, knowingly conspired to murder Lamont Young in violation of New York Penal Law, Sections 105.15 and 125.25, in

that, with the intent to cause the death of Lamont Young, ANTHONY BOYKIN, MARCO BOYKIN, and ROBINSON, agreed together and with others known and unknown to engage in or cause the performance of such murder.

Overt Acts

i. On or about March 4, 2009, ANTHONY BOYKIN and MARCO BOYKIN directed ROBINSON to call Lamont Young to a location where ANTHONY BOYKIN and MARCO BOYKIN would shoot Lamont Young.

ii. On or about March 4, 2009, ROBINSON called Lamont Young to the vicinity of Lander Street and First Street, where he would be shot.

iii. On or about March 4, 2009, ANTHONY BOYKIN and MARCO BOYKIN shot Lamont Young to death and acted as a look-out during that shooting.

Murder of Lamont Young

b. On or about March 4, 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," and ANTWAN ROBINSON, a/k/a "Twizzy," the defendants, and others known and unknown, intentionally and knowingly murdered and aided and abetted the murder of Lamont Young, in the vicinity of Lander Street and First Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00 and 125.25, in that, with the

intent to cause the death of Lamont Young, ANTHONY BOYKIN, MARCO BOYKIN, and ROBINSON caused the death of Young and did aid and abet one another in causing the death of Young.

Racketeering Act Two:
Conspiracy to Murder and Murder of Tyrik Legette

16. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Two:

Conspiracy to Murder Tyrik Legette

a. From at least in or about early 2009, up to and including on or about April 30, 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," JOSEPH McLEAN, a/k/a "Millz," and JUSTIN SIMMONS, a/k/a "Justo," the defendants, and others known and unknown, knowingly conspired to murder Tyrik Legette in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Tyrik Legette, ANTHONY BOYKIN, MARCO BOYKIN, CANADAY, CORBIN, FIELDS, HAGAN, HERRING, McLEAN, and SIMMONS agreed together and with others known and unknown to engage in or cause the performance of such murder.

Overt Acts

i. In or about early 2009, FIELDS told other members of the Newburgh Bloods that he had been attacked and otherwise wronged by Tyrik Legette.

ii. On multiple occasions in or about early 2009, ANTHONY BOYKIN, MARCO BOYKIN, and HAGAN directed members of the Newburgh Bloods to assault, rob, murder, and otherwise harm Tyrik Legette in retaliation for Legette wronging FIELDS.

iii. On or about April 30, 2009, McLEAN called FIELDS to Lander Street, Newburgh, New York, where McLEAN saw Tyrik Legette.

iv. On or about April 30, 2009, CANADAY, CORBIN, FIELDS, HERRING, and SIMMONS, and others known and unknown, beat and stabbed Tyrik Legette to death in the vicinity of 156 Lander Street, Newburgh, New York.

Murder of Tyrik Legette

b. On or about April 30, 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," JOSEPH McLEAN, a/k/a "Millz," and JUSTIN SIMMONS, a/k/a "Justo," the defendants, and others known and unknown, intentionally and knowingly murdered

and aided and abetted the murder of Tyrik Legette, in the vicinity of 156 Lander Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00 and 125.25, in that, with the intent to cause the death of Tyrik Legette, and under circumstances evincing a depraved indifference to human life, ANTHONY BOYKIN, MARCO BOYKIN, CANADAY, CORBIN, FIELDS, HAGAN, HERRING, McLEAN, and SIMMONS, and others known and unknown, did cause the death of Legette, and did recklessly engage in conduct which created a grave risk of death to another person, and thereby caused the death of Legette, and did aid and abet one another in causing such death.

Racketeering Act Three:
Conspiracy To Commit Robbery And Attempted Armed Robbery Of A
Suspected Narcotics Dealer At 270 First Street, Newburgh, New
York

17. The defendant named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Three:

Conspiracy To Commit Robbery Of Suspected Narcotics Dealer

a. In or about early April 2007, in the Southern District of New York, DANIELLE WILLIAMS, the defendant, and others known and unknown, unlawfully and knowingly conspired to rob a suspected narcotics dealer of narcotics and /or Social Security proceeds at a residence located at 270 First Street, Newburgh, New York, which robbery would be aided by another person or persons actually present and where a participant in the

crime would display what appeared to be a pistol, revolver, rifle, shotgun, machine gun, and other firearm, in violation of New York Penal Law, Sections 160.10 and 105.10.

Overt Act

i. On or about April 13, 2007, WILLIAMS, and others known and unknown, traveled to 270 First Street, Newburgh, New York, in order to commit a robbery.

Attempted Robbery of 270 First Street, Newburgh, New York

b. On or about April 13, 2007, DANIELLE WILLIAMS, the defendant, and others known and unknown, unlawfully and knowingly attempted to rob, and aided and abetted the attempted robbery, of a suspected narcotics dealer of narcotics and/or Social Security proceeds at a residence located at 270 First Street, Newburgh, New York, in violation of New York Penal Law, Sections 160.05, 110.00, and 20.00.

Racketeering Act Four:
Conspiracy to Murder and Attempted Murder of Victim 1

18. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Four:

Conspiracy to Murder Victim 1

a. In or about September 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a

"Rico," and RAHSAAN MELVIN, a/k/a "Sincere," the defendants, knowingly conspired to murder Victim 1, in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Victim 1, ANTHONY BOYKIN, CORBIN, FIELDS, HAGAN, HERRING, and MELVIN agreed together and with others known and unknown to engage in or cause the performance of such murder.

Overt Acts

i. In or about September 2008, ANTHONY BOYKIN and HAGAN directed members of the Newburgh Bloods to assault, rob, murder, and otherwise harm Victim 1 because Victim 1 had falsely claimed to be a member of the Bloods street gang.

ii. On or about September 20, 2008, CORBIN, FIELDS, HERRING, and MELVIN, and others known and unknown, beat and stabbed Victim 1 in the vicinity of 191 Chambers Street, Newburgh, New York.

Attempted Murder of Victim 1

b. On or about September 20, 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," and RAHSAAN MELVIN, a/k/a "Sincere," the defendants, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim 1 in the vicinity of 191 Chambers Street, Newburgh, New York, in violation

of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of Victim 1, ANTHONY BOYKIN, CORBIN, FIELDS, HAGAN, HERRING, MELVIN, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Five:
Conspiracy to Murder and Attempted Murder of Victim 2

19. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Five:

Conspiracy to Murder Victim 2

a. In or about August 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," and MAURICE HAGAN, a/k/a "Vision," the defendants, knowingly conspired to murder Victim 2, in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Victim 2, ANTHONY BOYKIN, BYRD, and HAGAN agreed together and with others known and unknown to engage in or cause the performance of such murder.

Overt Acts

i. In or about August 2008, ANTHONY BOYKIN and HAGAN directed members of the Newburgh Bloods to assault, rob, murder, and otherwise harm Victim 2 because Victim 2 had falsely claimed to be a member of the Bloods street gang.

ii. On or about August 24, 2008, BYRD and HAGAN, and others known and unknown, beat and stabbed Victim 2 in the vicinity of 25 Lutheran Street, Newburgh, New York.

Attempted Murder of Victim 2

b. On or about August 24, 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," and MAURICE HAGAN, a/k/a "Vision," the defendants, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim 2 in the vicinity of 25 Lutheran Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of Victim 1, ANTHONY BOYKIN, BYRD, and HAGAN, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Six:
Conspiracy To Murder And Attempted Murder Of Members Of A Rival
Gang Known As The "Crips"

20. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Six:

Conspiracy to Murder Members Of A Rival Gang Known As The "Crips"

a. On or about October 5, 2008, in the Southern District of New York, MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo,"

a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," CHARLES CORBIN, a/k/a "Buck," ROBERT HERRING, a/k/a "Rico," and DAVID JACKLYN, a/k/a "Hood," the defendants, knowingly conspired to murder members of a rival gang known as the "Crips," in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of members of a rival gang known as the "Crips," MARCO BOYKIN, BYRD, CORBIN, HERRING, and JACKLYN agreed together and with others known and unknown to engage in or cause the performance of such murders.

Overt Acts

i. On or about October 5, 2008, MARCO BOYKIN directed members of the Newburgh Bloods to assault and shoot members of a rival gang known as the "Crips."

ii. On or about October 5, 2008, BYRD, CORBIN, HERRING, JACKLYN, and others known and unknown, traveled to the vicinity of 52 Benkard Avenue, Newburgh, New York, in order to shoot at members of a rival gang known as the "Crips," and shot Victim 3.

Attempted Murder Of Members Of A Rival Gang Known As The "Crips"

b. On or about October 5, 2008, in the Southern District of New York, MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," CHARLES CORBIN, a/k/a "Buck," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," the defendants, intentionally and

knowingly attempted to murder and aided and abetted the attempted murders of members of a rival gang known as the "Crips" in the vicinity of 52 Benkard Avenue, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of members of a rival gang known as the "Crips," MARCO BOYKIN, BYRD, CORBIN, HERRING, and JACKLYN, and others known and unknown, did engage in conduct that tended to effect the commission of such murders, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Seven:
Conspiracy To Murder And Attempted Murder Of Members Of A Rival
Gang Known As The "Latin Kings"

21. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Seven:

Conspiracy to Murder Members Of A Rival Gang Known As The "Latin
Kings"

a. On or about January 31, 2009, in the Southern District of New York, JOSEPH McLEAN, a/k/a "Millz," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," and DANIELLE WILLIAMS, the defendants, knowingly conspired to murder members of a rival gang known as the "Latin Kings," also known as the "Almighty Latin King and Queen Nation," in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of members of a rival gang known as the "Latin Kings," McLEAN, NELSON, and WILLIAMS agreed together and with others

known and unknown to engage in or cause the performance of such murders.

Overt Acts

i. On or about January 31, 2009, WILLIAMS helped transport a member of the Newburgh Bloods to meet McLEAN.

ii. On or about January 31, 2009, McLEAN provided a member of the Newburgh Bloods with a firearm to shoot at members of a rival gang known as the "Latin Kings."

iii. On or about January 31, 2009, WILLIAMS helped transport members of the Newburgh Bloods to the vicinity of Farrington and Lander Streets, Newburgh, New York.

iv. On or about January 31, 2009, NELSON and a co-conspirator not named herein drove to the vicinity of Farrington and Lander Streets, Newburgh, New York, in order to shoot at members of a rival gang known as the "Latin Kings."

Attempted Murder Of Members Of A Rival Gang Known As The "Latin Kings"

b. On or about January 31, 2009, in the Southern District of New York, JOSEPH McLEAN, a/k/a "Millz," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," and DANIELLE WILLIAMS, the defendants, intentionally and knowingly attempted to murder and aided and abetted the attempted murders of members of a rival gang known as the "Latin Kings," in the vicinity of Farrington and Lander Streets, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the

intent to cause the death of members of a rival gang known as the "Latin Kings," McLEAN, NELSON, WILLIAMS, and others known and unknown, engaged in conduct that tended to effect the commission of such murders, and did aid and abet one another in attempting to engage in such conduct, which conduct resulted in the shooting of Victim 4.

Racketeering Act Eight:
Conspiracy To Commit Robbery And Robbery Of A Suspected Narcotics Dealer

22. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Eight:

Conspiracy To Commit Robbery Of Suspected Narcotics Dealer

a. On or about June 2, 2009, in the Southern District of New York, JOHN CANADAY, a/k/a "Stoney B," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," and ANTWAN ROBINSON, a/k/a "Twizzy," the defendants, and others known and unknown, unlawfully and knowingly conspired to rob Victim 5, a suspected narcotics dealer, at a residence located in the vicinity of Chambers Street and First Street, Newburgh, New York, which robbery would be aided by another person or persons actually present and where a participant in the crime would display what appeared to be a pistol, revolver, rifle, shotgun, machine gun, and other firearm, in violation of New York Penal Law, Sections 160.10 and 105.10.

Overt Act

i. On or about June 2, 2009, CANADAY, FIELDS, and ROBINSON robbed Victim 5, a suspected narcotics dealer in Newburgh, New York, of valuable items, including a chain.

Robbery Of A Suspected Narcotics Dealer

b. On or about June 2, 2009, JOHN CANADAY, a/k/a "Stoney B," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," and ANTWAN ROBINSON, a/k/a "Twizzy," the defendants, unlawfully and knowingly robbed and aided and abetted the robbery of Victim 5, a suspected narcotics dealer, of valuable items, including a chain, in Newburgh, New York, in violation of New York Penal Law, Sections 160.05 and 20.00.

Racketeering Act Nine:
Witness Tampering

23. The defendants named below committed the following act, which constitutes the commission of Racketeering Act Five:

Attempt to Tamper with A Witness

a. On or about June 5, 2009, in the Southern District of New York, MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," and DANIELLE WILLIAMS, the defendants, and others known and unknown, knowingly did attempt to use physical force and the threat of physical force against a person, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information

relating to the commission and possible commission of a Federal offense, to wit, MARCO BOYKIN, WILLIAMS, and others known and unknown, assaulted and threatened to assault Victim 5, whom MARCO BOYKIN and WILLIAMS believed had provided information to law enforcement officers about a robbery performed three days earlier by members of the Newburgh Bloods, in violation of Title 18, United States Code, Sections 1512(a)(2)(C) and 2.

Racketeering Act Ten:
Narcotics Distribution Conspiracy

24. From at least in or about 2007, up to and including in or about September 2011, in the Southern District of New York and elsewhere, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," JOSEPH McLEAN, a/k/a "Millz," RAHSAAN MELVIN, a/k/a "Sincere," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," ANTWAN ROBINSON, a/k/a "Twizzy," JUSTIN SIMMONS, a/k/a "Justo," and DANIELLE WILLIAMS, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

25. It was a part and an object of the conspiracy that ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks,"

a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," JOSEPH McLEAN, a/k/a "Millz," RAHSAAN MELVIN, a/k/a "Sincere," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," ANTWAN ROBINSON, a/k/a "Twizzy," JUSTIN SIMMONS, a/k/a "Justo," and DANIELLE WILLIAMS, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Sections 841 and 846.

26. The controlled substance involved in the offense was 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

(Title 18, United States Code, Sections 1961 and 1962(c).)

COUNT TWO

THE RACKETEERING CONSPIRACY

The Grand Jury further charges:

27. Paragraphs 1 through 12 and 14 through 26 of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

28. From at least in or about 2007, up to and including in or about September 2011, in the Southern District of New York and elsewhere, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," TAYLOR FIELDS, a/k/a "Little A," a/k/a "Alex," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," DAVID JACKLYN, a/k/a "Hood," JOSEPH McLEAN, a/k/a "Millz," RAHSAAN MELVIN, a/k/a "Sincere," JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," ANTWAN ROBINSON, a/k/a "Twizzy," JUSTIN SIMMONS, a/k/a "Justo," and DANIELLE WILLIAMS, the defendants, and others known and unknown, being persons employed by and associated with the enterprise described in Paragraphs 1 through 12 of Count One of this Indictment, to wit, the Newburgh Bloods, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise, which was engaged in, and the activities of which affected, interstate and foreign commerce, through a pattern of racketeering activity, to wit, the racketeering acts set forth in Paragraphs 14 through 26 of Count One of this Indictment as Racketeering Acts One through Ten.

29. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

(Title 18, United States Code, Section 1962(d).)

COUNT THREE

CONSPIRACY TO MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

30. At all times relevant to this Indictment, the Newburgh Bloods, as described in paragraphs 1 through 12 of Count One of this Indictment, which are realleged and incorporated by reference as though fully set forth herein, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals engaged in, and the activities of which affected, interstate and foreign commerce.

31. At all times relevant to this Indictment, the Newburgh Bloods, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is, acts involving murder and robbery, in violation of New York Penal Law; acts indictable under Title 18, United States Code, Section 1512 (witness tampering); and acts involving narcotics

distribution, in violation of Title 21, United States Code, Sections 841 and 846.

32. In or about March 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," and ANTWAN ROBINSON, a/k/a "Twizzy," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder Lamont Young, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT FOUR

MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

33. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

34. On or about March 4, 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," and

ANTWAN ROBINSON, a/k/a "Twizzy," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly murdered, and aided and abetted the murder of, Lamont Young, in the vicinity of Lander Street and First Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT FIVE

CONSPIRACY TO MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

35. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

36. From at least in or about early 2009, up to and including on or about April 30, 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," and JUSTIN SIMMONS, a/k/a

"Justo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder Tyrik Legette, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT SIX

MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

37. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

38. On or about April 30, 2009, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," JOHN CANADAY, a/k/a "Stoney B," CHARLES CORBIN, a/k/a "Buck," MAURICE HAGAN, a/k/a "Vision," ROBERT HERRING, a/k/a "Rico," and JUSTIN SIMMONS, a/k/a "Justo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of

gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly murdered, and aided and abetted the murder of, Tyrik Legette, in the vicinity of Lander Street and First Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT SEVEN

CONSPIRACY TO MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

39. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

40. In or about September 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES CORBIN, a/k/a "Buck," MAURICE HAGAN, a/k/a "Vision," and ROBERT HERRING, a/k/a "Rico," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder

Victim 1, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT EIGHT

ASSAULT AND ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

41. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

42. On or about September 20, 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES CORBIN, a/k/a "Buck," MAURICE HAGAN, a/k/a "Vision," and ROBERT HERRING, a/k/a "Rico," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon; attempted to murder an individual; and aided and abetted the same, to wit, ANTHONY BOYKIN and HAGAN directed members of the Newburgh Bloods to assault, rob, murder, and otherwise harm Victim 1 because Victim 1 had falsely claimed to be a member of the Bloods street

gang, and CORBIN and HERRING, and others known and unknown, stabbed, beat, and attempted to kill Victim 1 in the vicinity of 191 Chambers Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 120.05, 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(3), 1959(a)(5), and 2.)

COUNT NINE

CONSPIRACY TO MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

43. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

44. In or about August 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," and MAURICE HAGAN, a/k/a "Vision," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder Victim 2, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT TEN

ASSAULT AND ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

45. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

46. On or about August 24, 2008, in the Southern District of New York, ANTHONY BOYKIN, a/k/a "Double O," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," and MAURICE HAGAN, a/k/a "Vision," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon; attempted to murder an individual; and aided and abetted the same, to wit, ANTHONY BOYKIN and HAGAN directed members of the Newburgh Bloods to assault, rob, murder, and otherwise harm Victim 2 because Victim 2 had falsely claimed to be a member of the Bloods street gang, and BYRD and HAGAN, and others known and unknown, stabbed, beat, and attempted to kill

Victim 2 in the vicinity of 25 Lutheran Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 120.05, 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(3), 1959(a)(5), and 2.)

COUNT ELEVEN

CONSPIRACY TO MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

47. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

48. On or about October 5, 2008, in the Southern District of New York, MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," CHARLES CORBIN, a/k/a "Buck," ROBERT HERRING, a/k/a "Rico," and DAVID JACKLYN, a/k/a "Hood," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder

members of a rival gang known as the "Crips," in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT TWELVE

ASSAULT AND ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

49. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

50. On or about October 5, 2008, in the Southern District of New York, MARCO BOYKIN, a/k/a "Sparks," a/k/a "Polo," a/k/a "Polo Shine," CHARLES BYRD, a/k/a "AU," a/k/a "Ante Up," CHARLES CORBIN, a/k/a "Buck," ROBERT HERRING, a/k/a "Rico," and DAVID JACKLYN, a/k/a "Hood," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon; attempted to murder an individual; and aided and abetted the same, to wit, MARCO BOYKIN directed members of the Newburgh Bloods to assault and shoot members of a rival gang known as the "Crips," and BYRD,

CORBIN, and HERRING, and others known and unknown, shot at and attempted to kill members of a rival gang known as the "Crips" in the vicinity of 52 Benkard Avenue, Newburgh, New York, and, in doing so, shot Victim 3, in violation of New York Penal Law, Sections 20.00, 120.05, 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(3), 1959(a)(5), and 2.)

COUNT THIRTEEN

CONSPIRACY TO MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

51. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

52. On or about January 31, 2009, in the Southern District of New York, JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," and DANIELLE WILLIAMS, the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder

members of a rival gang known as the "Latin Kings," in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT FOURTEEN

ASSAULT AND ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

53. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

54. On or about January 31, 2009, in the Southern District of New York, JOHN NELSON, a/k/a "Hellboy," a/k/a "HB," and DANIELLE WILLIAMS, the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon; attempted to murder an individual; and aided and abetted the same, to wit, NELSON, together with other members of the Newburgh Bloods, shot at members of a rival gang known as the "Latin Kings" in the vicinity of Farrington and Lander Streets, Newburgh, New York, McLEAN provided one of the members of the Newburgh Bloods with a

firearm to shoot at members of a rival gang known as the "Latin Kings," and WILLIAMS helped transport a member of the Newburgh Bloods to meet McLEAN and then to shoot at members of a rival gang known as the "Latin Kings," and, in doing so, shot Victim 4, in violation of New York Penal Law, Sections 20.00, 120.05, 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(3), 1959(a)(5), and 2.)

COUNT FIFTEEN

ASSAULT IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

55. Paragraphs 30 and 31 of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

56. On or about July 17, 2009, in the Southern District of New York, JUSTIN SIMMONS, a/k/a "Justo," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Bloods, and for the purpose of gaining entrance to and maintaining and increasing position in the Newburgh Bloods, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon, and aided and abetted the same, to wit, SIMMONS shot Victim 6 in the